

Attorney Docket No: IDF 1693 (4000-05000)

Patent

REMARKS/ARGUMENTS***Status of Claims***

Claims 1-13, 15, 17-26, 28, 30, and 32 are currently pending in this application. Claims 1 and 20-21 have been amended. Claims 14, 16, 27, 29, 31 and 33 have been canceled.

Claims Rejections – 35 USC § 103

Claims 1-33 stand rejected under 35 USC § 103 as being unpatentable over *Ivanov* (US 5,706,452) in view of *Meunier* (US 6,681,369). Applicant respectfully submits that the art of record does not establish a *prima facie* case of obviousness as to the pending claims. According to MPEP 2142, three basic criteria must be met to establish a *prima facie* case of obviousness:

First, there must be some suggestion or motivation, either in the references themselves or in the knowledge generally available to one of ordinary skill in the art, to modify the reference or to combine reference teachings. Second, there must be a reasonable expectation of success. Finally, the prior art reference (or references when combined) must teach or suggest all the claim limitations. The teaching or suggestion to make the claimed combination and the reasonable expectation of success must both be found in the prior art, and not based on applicant's disclosure.

Assuming for the sake of argument that the combination of *Ivanov* and *Meunier* is proper (without conceding such), the Examiner has nonetheless failed to establish a *prima facie* case of obviousness as such combination does not teach or suggest all of the claim limitations. Applicant has amended independent claims 1, 20, and 21 to clarify that the claims recite a method for managing change to protect the integrity of an enterprise's computer operating environment. In contrast, the primary reference, *Ivanov*, discloses a method for managing the

*Attorney Docket No: IDF 1693 (4000-05000)**Patent*

review and editing of a document by multiple reviewers. See, e.g., Field of the Invention at col. 1, lines 9-14. Likewise, the secondary reference, *Meunier*, discloses a method for detecting changes to a document and notifying a community of users regarding same. See, e.g., Abstract. As should be readily apparent from this overview, Applicant's claimed invention is drawn to completely different subject matter than that of *Ivanov* and *Meunier*, namely changes in a computer operating environment versus changes to a document.

In order to further clarify this difference, Applicant has amended independent claims 1, 20, and 21 to recite that the change consists of modifications to hardware, software, or both in an electronic computing system of the enterprise, as was previously recited in dependent claims 14 and 27. In rejecting dependent claim 14, Applicant notes the Examiner's reliance on col. 32, lines 1-20 of *Ivanov*. Upon careful review, it is clear that this passage relates to implementation of *Ivanov's* method of managing review and editing of a document via a distributed computing system such that reviewers in various locations can make modifications to the document that are replicated for the benefit of other reviewers at different locations. This passage regarding modifications to the document under review has nothing to do with modifications to hardware, software, or both in an electronic computing system of the enterprise as recited in the amended claims. To summarize, *Ivanov* discloses a document management method that may be implemented on a computer in contrast to the claimed methods to manage change to protect the integrity of an enterprise's computer operating environment. Given these fundamental differences, the combination of *Ivanov* and *Meunier* (if proper) does not teach each and every element recited in the amended claims, and Applicant respectfully submits that the claims as amended are patentable over the art of record.

Attorney Docket No: IDF 1693 (4000-05000)**Patent*****Preservation of rights***

For simplicity and ease of understanding, Applicant has focused this response on the “big picture” missing limitation that the change consists of modifications to hardware, software, or both in an electronic computing system of the enterprise. However, such focus should not be interpreted as a concession or implied admission that the combination of *Ivanov* and *Meunier* is proper, or that such combination discloses all remaining claim limitations. Applicant reserves the right to argue additional distinctions over the prior art as appropriate in subsequent prosecution, including but not limited to, the Examiner’s application of the prior art to elements (a) – (d) of claim 1 as set forth in paragraph 3 of the Office Action mailed August 27, 2004.

*Attorney Docket No: IDF 1693 (4000-05000)**Patent***CONCLUSION**

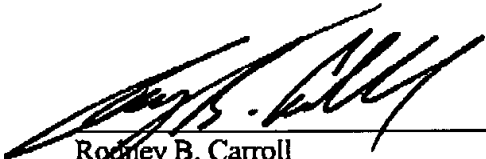
Consideration of the foregoing amendments and remarks, reconsideration of the application, and withdrawal of the rejections and objections is respectfully requested by Applicant. No new matter is introduced by way of the amendment. It is believed that each ground of rejection raised in the Office Action dated August 27, 2004 has been fully addressed. If any fee is due as a result of the filing of this paper, please appropriately charge such fee to Deposit Account No. 21-0765, Sprint. If a petition for extension of time is necessary in order for this paper to be deemed timely filed, please consider this a petition therefore.

If a telephone conference would facilitate the resolution of any issue or expedite the prosecution of the application, the Examiner is invited to telephone the undersigned at the telephone number given below.

Respectfully submitted,
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